

**REGULAR BOARD MEETING  
APRIL 17, 2013**

**TOWN HALL  
7:30 P.M.**

Present: Supervisor Martin A. Ballowe, Councilmen Jeffrey A. Genzel, Jay P. Boardway and Lawrence A. Murtha.

Absent: Councilman Gary E Vara.

Also Present: Town Attorney Kobiolka and Highway Superintendent Telaak.

The following proposals were received for the repair of the Lion's Shelter Piers:

Rock Works Masonry, Inc. \$18,000      Mike Flattery Masonry \$24,320

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to award the bid to Rock Works Masonry for the repair of the Lions Shelter Pier's for a total of \$18,000 including material and labor.

four (4) Ayes Carried

A motion was made by Councilman Boardway and seconded by Councilman Genzel to adopt the minutes of the April 3, 2013 regular meeting.

four (4) Ayes Carried

A motion was made by Councilman Murtha and seconded by Supervisor Ballowe, upon review by the Town Board, that fund bills on the Abstract dated April 11, 2013 in the amount of \$104,853.19 be paid.

four (4) Ayes Carried

Received and filed correspondence from Erie County Environmental Management Council requesting a nomination to replace Mr. Richard Lee to serve a two-year term to expire May 31, 2015.

Received and filed correspondence from Assembly Minority Leader Brian Kolb acknowledging receipt of Town of Boston's Resolutions 2013-05 and 06, NY Safe Act and Court Fines.

There were no comments from the public.

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to nominate Michael P. Monin to be the Town of Boston's representative to the Erie County Environmental Management Council replacing Richard Lee.

four (4) Ayes Carried

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A motion was made by Councilman Genzel and was seconded by Councilman Boardway to appoint Mary Ann Rood as a regular member of the Planning Board term to expire February 1, 2018.

four (4) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Councilman Boardway to appoint Mitchell Martin as an alternate member of the Planning Board term to expire December 31, 2015.

four (4) Ayes Carried

A motion was made by Councilman Genzel and was seconded by Supervisor Ballowe upon the recommendation of Code Enforcement Officer Ferguson to approve the request for a second accessory building from Brian and Francella Schmid, 7639 Lower East Hill Road.

four (4) Ayes Carried

A motion was made by Supervisor Ballowe and was seconded by Councilman Genzel upon the recommendation of Code Enforcement Officer Ferguson to approve the request for a second accessory building from Jim and Molly Morrill, 5666 Shero Road.

Supervisor Ballowe	Aye	Councilman Boardway	Aye
Councilman Genzel	Aye	Councilman Murtha	Nay
Councilman Vara	Absent		

three (3) Ayes (1) One Absent (1) Nay Carried

A motion was made by Councilman Boardway and was seconded by Supervisor Ballowe to approve the Use of Facility Application from Boston Youth Baseball, from approximately April 13, 2013 through the end of July, 2013.

four (4) Ayes Carried

A motion was made by Councilman Murtha and was seconded by Councilman Boardway to approve the Use of Facility Application from the Boston Lions Club, August 2<sup>nd</sup> and 3<sup>rd</sup>.

four (4) Ayes Carried

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A motion was made by Councilman Genzel and was seconded by Councilman Murtha to authorize Supervisor Ballowe to sign the pyrotechnic display and service agreement for the 4<sup>th</sup> of July fireworks celebration.

four (4) Ayes

Carried

The following bids were received for the Boston Commons concrete project:

B&W Concrete	\$16,000	Cameron Bros. Concrete, Inc.	\$16,450
Broad Spectrum Concrete	\$16,900		

A motion was made by Supervisor Ballowe and was seconded by Councilman Boardway to award the bid for the Boston Commons concrete project to B&W Concrete in the amount of \$16,000 contingent upon approval of the contract from Town Attorney Kobiolka.

four (4) Ayes

Carried

A motion was made by Councilman Boardway and was seconded by Councilman Murtha to schedule a public hearing for May 15, 2013 at 7:40 p.m. to consider the Rezoning request made by Schreiber and Winkleman at 7849 Boston State Road from C-1 to C-2.

four (4) Ayes

Carried

Received and filed monthly reports from the Supervisor, Town Clerk, Dog Control Officer, Code Enforcement Officer.

Highway Superintendent Telaak reported the 2<sup>nd</sup> round of brush pick up will begin on May 1<sup>st</sup>. Stumps will not be picked up. All town streets have been swept. There are wood chips, dirt fill and fire wood still available.

Councilman Murtha reported he has been back in contact with the residents that have flooding issues and is working on solutions.

Councilman Genzel as Engineering Liaison reported he met with Town Engineer Hannon and inspected the Hillcroft Bridge and looked at the possible waterline extension on Back Creek Road. They also inspected the waterline stabilization project on Keller Road.

Councilman Genzel as Planning Board Liaison reported the site plan for the addition to the self-storage on Boston State Road was approved. The next meeting will be April 23<sup>rd</sup> pending an agenda. The next Zoning Board of Appeals meeting has been cancelled due to no agenda.

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Councilman Genzel as Capital Improvement Liaison reported a letter went out to local businesses requesting donations for the 4<sup>th</sup> of July fireworks. Donations can be submitted to Supervisor Ballowe's office.

Councilman Genzel noted that the town is always looking for quality members for all volunteer boards.

Councilman Boardway reported the fire calls for the month of March as follows:

Boston – 10                      N. Boston – 3                      Patchin – 2 (firematic, 6 EMS)

Councilman Boardway noted that Hamburg Dispatch has come up with a new categorization of how the different calls will be characterized going forward.

Councilman Boardway noted emails will be sent out to all the presidents of the fire companies regarding updating their books based on the last contract.

Councilman Boardway met with Recreation Director Zeniuk; all the bands have been booked for the summer concerts. Last year we not only were able to sponsor every band that played, but there was additional monies left over to be used by the Recreation Department for new equipment. Many past year Summer Recreation Employees have applied again this year. Anyone 16 years or older can apply.

Councilman Boardway reported on the safety of the Hillcroft Bridge. This Town Board is trying to be proactive with this issue. The Town Board has discussed this at length and on March 1<sup>st</sup>, he and Town Attorney Kobiolka had a meeting with Erie County Legislator John Mills and Charles Sickler along with a county attorney to discuss some of the town wide issues. It was determined that the Hillcroft Bridge was inspected by the NYS Department of Transportation on July 31, 2012. As it turns out, it is an ugly bridge, but it is a safe bridge. After an inspection the bridge will be posted with a 20-ton weight limit. This bridge is on a two-year inspection cycle, but it will be inspected again around July 30<sup>th</sup>, this is the reason the bridge is not on the replacement list. Councilman Boardway noted that he has a full report on this from the county.

Supervisor Ballowe reported that representatives from Congressman Chris Collin's will be using the town hall as a satellite office on Friday's between 1 p.m. and 3 p.m. Once we get a set schedule it will be posted on the town's website.

Supervisor Ballowe reminded the residents that the Fishing Derby will be on May 11<sup>th</sup>.

Supervisor Ballowe reported that he, Councilman Boardway and Councilman Genzel were recognized by the NYS Assembly with a certificate for lowering town taxes for three years in a row.

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Supervisor Ballowe reported that Mr. Edward Cary, long time Boston resident passed away. He was a vital part of our community. Our hearts and prayers go out to his family.

A motion was made by Supervisor Ballowe and seconded by Councilman Boardway to adjourn the meeting at 8:04 p.m.

four (4) Ayes

Carried

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**JENNIFER A. MULÉ, BOSTON TOWN CLERK**